



Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

GOVERNMENT OF GUÅHAN
(GUBETNAMENTON GUÅHAN)

DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)

DIRECTOR'S OFFICE
(Ufisinan Direktot)

Post Office Box 884 * Hagåtña, Guam 96932
TEL: (671) 475-1101/1250 * FAX: (671) 477-6788

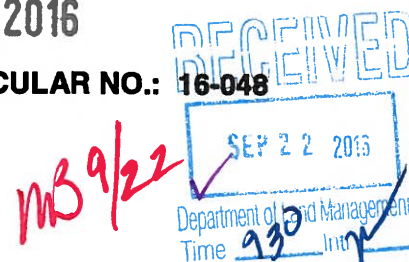


Christine W. Baleto
Director
Joseph L.G. Rios, Jr.
Deputy Director

SEP 19 2016

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO.: 16-048

To: All Department/Agency Heads
From: Director, Department of Administration
Subject: Employment Practices



Buenas yan Håfa Adai! In our continuing effort to assure fair employment practices for applicants and employees, the following guidelines are issued in accordance with established laws, policies and procedures:

Pre-employment Conditions:

Executive Order 95-29 states, in part: "Applicants selected for and offered employment with the Government of Guam shall undergo and pass a mandatory drug test **before** being employed". (Emphasis added). Additionally, Public Law 28-98 places a prohibition of employment in any agency or instrumentality of the government of Guam of a person convicted of a sex offense under the provisions of Chapter 25 of Title 9 Guam Code Annotated, or an offense as defined in Article 2 of Chapter 28, Title 9 GCA in Guam, or an offense in any jurisdiction which includes, at a minimum, all of the elements of said offenses, or who is listed on the Sex Offender Registry.

Department/agency heads shall **not** allow any selected applicant(s) to report to and perform work until such time as the selected applicant has submitted to and passed the mandatory drug test and has been cleared from the Sex Offender Registry. Any work performed prior to meeting such conditions may be considered "illegal" and will not be processed by our Human Resources office.

Initial Detail Appointments:

4GCA §4117 and Rule 4.506 of the Department of Administration's Personnel and Regulations, sets forth the provisions for the temporary assignment of an employee to assume the duties and responsibilities of another position other than the one to which the employee has been appointed for an initial period of ninety (90) days.

All departments/agencies are required to submit the necessary documents to effectuate any requests for initial temporary detail appointments. Specifically, a memorandum from the appointing authority indicating the position the employee is to be detailed to, the specific dates not to exceed ninety (90) calendar days, and the approved BBMR F-16 form. Upon the expiration of the initial detail appointment the employee **must be immediately returned** to his/her regular duties. Any requests for compensation outside of the mandated timeframe will be in direct violation of the law and will not be processed as any payment outside the mandated timeframe will be considered "illegal", unless there is specific statutory authority for said compensation.

Extension of Detail Appointments:

4GCA §4117 and Rule 4.506 (E) of the Department of Administration's Personnel and Regulations, further provides for the extension of a detail appointment in excess of ninety (90) days upon written application to the Director of Administration; such exemption shall extend for an additional ninety (90) days within that calendar year. Subsection J of Rule 4.506 specifically states that the employee must meet the qualification requirements for the position being detailed.

Therefore, all departments/agencies are required to submit a memorandum of request to the Director of Administration indicating the need for the extension and the necessary documents for analysis. The written request must be submitted at least two (2) weeks prior to the expiration of the initial detail appointment. Upon approval by the Director of Administration, the following documents must be submitted to effectuate any requests for extensions of details: Employment application form, applicant profile indicating that the individual meets the qualification requirements and the approved BBMR F-16 form. Upon the expiration of the extended detail appointment, the employee **must be immediately returned** to his/her regular duties. Any requests for compensation outside of the mandated timeframe will be in direct violation of the law and will not be processed as any payment outside the mandated timeframe will be considered "illegal", unless there is specific statutory authority for said compensation.

We take this opportunity to reiterate that failure to abide by the guidelines set forth above is in direct violation of Guam law and the Department of Administration's Personnel Rules and Regulations.

Thank you for your cooperation and attention to this matter. If you have any questions or require further information, please do not hesitate to contact the Classification and Pay Branch at 475-1131/1219/1201. *Dangkolo na Agradesimientol!*



CHRISTINE W. BALETO